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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates To:

ALL WAVE 1 BELLWETHER CASES

Case No. 3:23-md-03084-CRB

**PLAINTIFFS' ADMINISTRATIVE MOTION
TO EXTEND EXPERT DISCOVERY
DEADLINES FOR WAVE 1 BELLWETHER
CASES**

Judge:	Hon. Charles R. Breyer
Courtroom:	6 – 17 Floor (via videoconference)
Date:	TBD
Time:	TBD

Pursuant to Federal Rule of Civil Procedure 16(b)(4) and Civil Local Rules 6-1(b) and 6-3, Plaintiffs seek to extend extension of the August 29, 2025 deadline for the parties to submit expert reports in Wave 1 cases to September 12, 2025, and the September 29, 2025 deadline to submit rebuttal reports to October 13, 2025. The extension is required by outstanding 30(b)(6) depositions and ongoing discovery disputes. Due to the Court's recent rescheduling of the first trial from December to January, this modest extension can be easily accommodated in the case schedule.

STANDARD OF REVIEW

A schedule may be modified for "good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). The good cause standard "primarily considers the diligence of the party seeking the amendment." *Chang v. Cashman*, 723 F. Supp. 3d 772, 779 (N.D. Cal. 2024); *see also* L.R. 6-1(b) (requiring court order for "any enlargement or shortening of time that alters an event or deadline already fixed by Court order"). The key determination is whether a deadline "cannot reasonably be met despite the diligence of the party seeking the extension." *Martinez v. Costco Wholesale Corp.*, 336 F.R.D. 183, 187 (S.D. Cal. 2020).

ARGUMENT

The Court should extend the opening and rebuttals expert disclosure dates by two weeks to September 12, 2025 and October 13, 2025, respectively.

An extension would not prejudice Defendants and is being sought in good faith and not for purposes of delay. Plaintiffs have been working diligently to comply with the August 29, 2025 deadline for the parties to submit expert reports. London Decl. at ¶ 9. But, through no fault of their own, crucial discovery remains to be completed, discovery that will affect the content of Plaintiffs' opening expert reports. *Id.* at ¶ 10. Outstanding discovery includes case-specific 30(b)(6) depositions scheduled for August 26, August 28, August 29, and September 9 and other ongoing discovery disputes that cover critical aspects of the bellwether Trial Wave 1 cases. *Id.* at ¶¶ 11-14. To limit the need for 30(b)(6) deposition testimony, Plaintiffs agreed to pull down certain topics in exchange for written interrogatory responses by Defendants. *Id.* at ¶ 12. Those responses were not served until August 18, 2025. *Id.* at ¶ 13. To date, many of Defendants' responses have been unsatisfactory, and the parties continue to confer

1 on this issue. *Id.* Plaintiffs have also requested certain information related to a specific safety initiative,
2 following a July 23, 2025 30(b)(6) deposition that revealed that Uber has certain such data “readily
3 available.” *Id.* at ¶ 14. The parties have yet to reach an agreement on the substance of Plaintiffs’ request
4 and continue to confer. *Id.* Finally, there is a pending PTO 8 disputes in front of Judge Cisneros
5 regarding Defendants’ Production of Sexual Assault and Misconduct Incident Data. ECF 3700.

6 The modest requested extension also does not prejudice Defendants or threaten the trial schedule.
7 At the August 22, 2025 case management conference, the Court rescheduled the first bellwether trial
8 from December 8, 2025 to January 6, 2026. ECF 3725. Given the extra time, the parties began
9 conferring that same day on the case schedule, including the expert report deadlines. London Decl. at ¶ ¶
10 6-8. Uber’s counsel expressed openness to Plaintiffs’ proposal, but requested more time to confer with
11 their client. *Id.* at ¶ 8. With the first expert deadline set for this Friday, however, Plaintiffs are forced to
12 come to the Court now. With the extra month before trial, there is ample time to adjust the remaining
13 pretrial deadlines to accommodate this short extension. Plaintiffs request the Court grant this extension
14 and order the parties to propose a corresponding modification to the remainder of the schedule within 3
15 days.

16 CONCLUSION

17 For these reasons, Plaintiffs respectfully request the Court extend the deadlines to submit expert
18 reports to September 12, 2025, and the deadline to submit rebuttal reports to October 13, 2025.

1 Dated: August 25, 2025

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FILER'S ATTESTATION

I, Maya Kalonia, am the ECF User whose ID and password are being used to file this document.
In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified
above has concurred in this filing.

Dated: August 25, 2025

/s/ Maya Kalonia
Maya Kalonia